

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

CASE NO. 02-0254-T-C

NORTH COUNTY COMMUNICATIONS CORPORATION,

Complainant,

v.

VERIZON WEST VIRGINIA INC.,

Defendant.

ON BEHALF OF
VERIZON WEST VIRGINIA INC.

REBUTTAL TESTIMONY OF DIANNE M. MCKERNAN

October 4, 2002

Q. ARE YOU THE SAME DIANNE MCKERNAN WHO TESTIFIED IN DIRECT TESTIMONY?

A. Yes.

Q. HAVE YOU REVIEWED THE DIRECT TESTIMONY OF TODD LESSER OF NCC?

A. Yes.

Q. MR. LESSER CLAIMS THAT VERIZON WV, AND PARTICULARLY YOU, SLOWED NCC'S ENTRY INTO THE WEST VIRGINIA LOCAL EXCHANGE MARKET (LESSER, AT PP. 5-12). IS THIS TRUE?

A. No. I have done everything in my power to assist Mr. Lesser and NCC, from my very first contact with him until the present.

Q. MR. LESSER REFERS IN HIS DIRECT TESTIMONY [P. 6] TO DISCOVERY RESPONSES PROVIDED BY VERIZON, AND CLAIMS THAT "VERIZON STATES UNDER OATH THAT MS. MCKERNAN ONLY RECEIVED THE CUSTOMER PROFILES DATED SEPTEMBER 5, 2000, DECEMBER 20, 2000 AND JANUARY 21, 2001. SIGNIFICANTLY, VERIZON OMITED ANY REFERENCE TO RECEIVING THE ORIGINAL CUSTOMER PROFILE SENT TO IT IN AUGUST, 2000. IS THIS ENTIRELY ACCURATE?

A. No. In fact, I personally only received an incomplete customer profile on December 20, 2000, and after inquiry, a handwritten customer profile from Mr. Lesser that I transcribed into our system on January 15, 2001

Q. WHAT IS THE IMPORTANCE OF HAVING A CUSTOMER PROFILE?

A. The Customer Profile is simply the basic information that we need to establish the customer in Verizon's systems. By analogy, it is generally not unlike the type of information (billing information, etc.) that you would give Verizon WV (or, presumably, NCC) when establishing a new retail account. Because competitive local exchange carriers ("CLECs") and other wholesale customers typically have more complex requirements, however, the information we need is also more complex. A completed Customer Profile form from the CLEC contains the information we need to establish the account, and to bill the customer properly.

Q. DOESN'T THE INTERCONNECTION AGREEMENT GIVE VERIZON THE INFORMATION IT NEEDS TO ESTABLISH A CUSTOMER PROFILE?

A. No, not necessarily. For example, the contact information in the interconnection agreement could be completely different from the billing contact information. For example, the interconnection agreement could show a regulatory, legal or external affairs contact, not the address to which we should send a bill or should contact for operations purposes. We must make sure that we have this important information correct. That's why we ask the customer to fill out the Customer Profile form.

Q. DID YOU FIRST BECOME INVOLVED WITH NCC IN AN EFFORT TO HELP IT ESTABLISH A CUSTOMER PROFILE?

A. Yes. Mr. Lesser was referred to me on December 20, 2000 by another Verizon employee because he was then attempting to send us CLEC orders (specifically, access service requests or "ASRs") without having first properly established a CLEC account by providing a Customer Profile form, and without having an effective interconnection agreement with Verizon in West Virginia.

Q. MR. LESSER CLAIMS THAT YOU DID NOT START WORKING WITH HIM RIGHT AWAY ON DECEMBER 20, 2000, AND INSTEAD DELAYED HIM UNTIL JANUARY 17, 2001 [LESSER, P. 6]. IS THAT TRUE?

A. No. On December 20, 2000 I provided Mr. Lesser with the web site address to our Wholesale Markets web-site. This web-site contains detailed, easy-to-understand information on how a CLEC can do business with Verizon, and we're quite proud of it. I suggested that he review the information on our website so that he would know what he should do. I also asked him to complete a customer profile. Also on that same day, December 20, 2000, I received a distorted electronic profile from him that could not be placed in our system, but I offered to transcribe the information into the system to create a profile for him if he would just fax me a handwritten version.

During the week of January 8, 2001, I asked Mr. Lesser to provide me with an outline of NCC's requirements for West Virginia. From January 12, 2001 through January 17, 2001, I kept trying to get Mr. Lesser to give me the necessary information to complete the electronic Customer Profile form. On January 15, 2001, I finally received

by fax a handwritten Customer Profile form from Mr. Lesser, began transcribing it into the system that same day. Also on January 15, 2001 I advised Mr. Lesser by e-mail that pertinent information was missing from his profile (See Exhibit C-007 to his direct testimony). In that e-mail message, I stated that he did not provide me, as he had agreed, with an outline of what his requirements were for interconnection (Exhibit C-001 to Mr. Lesser's Direct Testimony).

On January 17, 2001, I complete the Customer Profile on Mr. Lesser's behalf, and sent him an e-mail message asking for a trunking forecast and a network diagram, as well as telling him that a "pre-ASR" technical meeting would have to be set up to plan the details of the interconnection arrangements that we would use between our two companies (Exhibit C-002 to Mr. Lesser's Direct Testimony). On January 18, 2001, I sent Mr. Lesser another e-mail asking him to familiarize himself with our CLEC handbook.

Q. WHAT DID YOU DO NEXT?

A. On January 22, 2001, I sent an e-mail message to Mr. Lesser (Exhibit C007 to his direct testimony) confirming an initial pre-ASR conference call for January 24, 2001. Also, I noted that "I still have not received any answers to my requests for information" on the trunk forecast and his plans for interconnection, and again asked for the forecast and the network diagram (Exhibit C007 to Mr. Lesser's direct testimony).

Q. DID NCC EVER PROVIDE THE REQUESTED NETWORK DIAGRAM?

A. No. NCC even refused to provide one when a formal request was made for one in this case.

Q. DID YOU CONTACT MR. LESSER REGARDING THE JULY 10, 2001
CONFERENCE CALL HE REFERS TO ON PAGE 10 OF HIS DIRECT
TESTIMONY?

A. Yes.

Q. IN REFERRING TO THE CONFERENCE CALL ON JULY 10, 2000, MR.
LESSER STATES THAT DURING THE CALL "VERIZON THREATENED ME AND
TOLD ME THAT THEY THOUGHT MY E-MAIL WAS HOSTILE AND THAT IF I
SAID ANYTHING THEY DIDN'T LIKE, THEY COULD TERMINATE THE CALL."
[LESSER, P. 11] IS ALL THAT TRUE?

A. No. As I discuss in my direct testimony, Mr. Lesser had his attorney participate
on the earlier conference call without disclosing his identity until the end of the call.
Therefore, I told Mr. Lesser that if he wished to have an attorney on the call, we wanted
one also. Due to vacation scheduling, I offered him the option of having a call on July
10, 2001 without the attorneys, or one on July 23, 2001 with the attorneys. He chose to
have the call without the parties' respective attorneys.

My subsequent e-mail to him (Exhibit C-017 to his testimony) confirmed that if
his attorney was present on the call, we would have to terminate it, since we would want
our own attorney there also. In addition, I advised him in that e-mail that if he was
abusive during the call, the call would be terminated. This statement was made in
response to Mr. Lesser's previous harsh e-mail and voice mail messages, despite my
prior, repeated attempts to keep matters on a cordial basis.

Q. MR. LESSER SAYS THAT, IN RESPONSE TO HIS REQUEST THAT VERIZON WV "TURN UP" A T-1 FOR HIM IN JULY 2001, YOU "TOLD [HIM] THAT [HE] COULD HAVE SERVICE IN OCTOBER." IS THAT TRUE?

A. No. He misquotes from my e-mail of July 9, 2001, where I merely said that "I'm confident that we will have your trunks up before October." I'm sorry, but at the time, I was a little overwhelmed with Mr. Lesser's overbearing tone, and was somewhat sarcastically responding to his complaints that it would take several months to get the interconnection trunks working, during the time when they were nearly complete. I never made any request for NCC to wait another four months. In fact, construction was completed in late July 2001, and in the meantime, I kept him apprised of developments.

Q. MR. LESSER STATES THAT "THEY COULD HAVE HAD ME TURNED UP IN AUGUST 2000 AND NOT HAVE ME WAIT UNTIL AUGUST 2001." IS THAT TRUE?

A. No, we could not have done so, at least insofar as my work group is concerned. NCC did not even provide us with the necessary Customer Profile information until January 17, 2001, and did not supply us with the other data that I had repeatedly requested, until July 2001, when NCC finally provided the trunk forecast. Mr. Albert will answer any questions with respect to what could and should have been done from a technical perspective.

Q. DOES THIS COMPLETE YOUR REBUTTAL TESTIMONY?

A. Yes.